

Remarks/Arguments

The Office Action mailed October 11, 2007 has been reviewed and the comments therein were carefully considered. Claims 1-24, 28-32 and 37-39 are currently pending and stand rejected. Claims 23, 24, 28 and 32 are amended.

Claim Rejections Under 35 USC §103

Claims 1-4, 7, 10-15, 17-19, 23, 24, 28-32, 37 and 38 stand rejected under 35 USC §103(a) as being unpatentable over Macrae, et al., (Macrae) (WO 98/17064 A1), in view of Collings (5,828,402). Applicant traverses this rejection.

Macrae discloses a method for displaying an icon providing a link to a website related to a television programme during the television programme. The website address and icon information are provided in the television signal. The website can be accessed by selecting the icon. However, as the Office Action states on Page 3, Macrae fails to disclose the features of independent method claim 12 of "receiving a user preference not to display the information service during display of the television programme service" and "overriding the user preference in response to detection of a code identifying link information for display during the television programme service".

The Examiner considers the features related to overriding the user preference obvious in view of Collings, which discloses a system in which information relating to television programmes, such as title and categorisation information, can be embedded in a broadcast video stream for the purpose of blocking unsuitable content. A user can choose to see the title and categorisation information associated with a current program by pressing a key on the remote control. The information is shown for a few seconds on the screen (column 16, lines 19 to 67). The system also provides a menu for controlling the display of captions transmitted in a caption channel or text channel. The title and categorisation information may be embedded in a text channel and can be stripped out and separated before the text channel is displayed. The title and categorisation information can be transmitted with a specific sequence of characters to allow the

information to be identified and extracted if transmitted on the text channel (Column 7, lines 50 to 54).

The Examiner appears to consider that Collings' description of turning off the captions corresponds to the feature of "receiving a user preference not to display the information service during the display of the television programme service", and that the feature of showing the title and categorisation information on the screen for a few seconds as "the information service module being operable to override the user preference in response to detection of a code identifying link information for display during the television programme service". As argued before, the user preference in Collings not to display captions is **not overridden** by the user selection to temporarily display the title information as the Examiner claims, but instead the user preference **itself** changes. Since it is the user himself who selects to display the title information, such selection becomes the new "user preference".

Moreover, in Collings, the user preference is not overridden automatically in response to detection of a code indicating that link information is being provided. The specific sequence of characters disclosed in Collings in column 7, lines 50 to 54, only allows the information to be identified. It is the **user selection using the remote control** that causes the information to be displayed. Detection of a user selection made via a remote control is not equivalent to detection of a code identifying link information.

In response to Applicant's previous argument that the caption information and the title and categorisation information are separate information services and choosing to suppress one of them is not a user preference for the other, the Examiner argues that the title and categorisation information "is clearly part of the information service as it constitutes data transmitted within the closed captioning". Applicant assumes that the Examiner is referring to the embodiment wherein the title and categorisation data is transmitted in the text channel and that the Examiner considers the title and categorisation information to be part of the text channel information service just as much as the captions in the text channel. However, even if the Examiner construes the caption function and the title and categorisation information function as part of the same information service, there is still no disclosure of the functions being related such that **one function**

overrides the user preferences for the other function. The difference between Collings and the invention as recited in the claims is that the menu controlling the display of captions has no effect on the title and categorisation information in Collings, whereas, according to an embodiment of the present application, turning the teletext subtitling function on has an effect on the link information in at least the respect that the overriding function does not have to be used.

Even if the title and categorisation information and the caption information are provided in the same text channel in Collings, there is no suggestion that choosing to suppress one of them is a user preference for the other, and therefore there are no user preferences overridden by the user selection to display the title and categorisation information. More particularly, Collings does not teach overriding user preferences in response to the detection of a code identifying the title and categorisation information.

Additionally, Applicant asserts that one skilled in the art would not combine Collings and Macrae, and even if they did, the combination would not lead to the invention. Collings is not directed to the same use as Macrae. Whereas Macrae is directed to providing additional information related to a television programme, Collings is mainly directed to blocking unsuitable content. Therefore, a skilled person wanting to improve on Macrae would not look to Collings. Moreover, even if a skilled person did look to Collings, which he would not, the skilled person would only be taught from Collings that closed captions can be switched off. Nothing in Collings suggests that this user preference could be overridden in response to a code identifying the graphical icon and the associated Internet site address of Macrae. Collings only discloses that additional information can be extracted from a text channel after identification of a specific sequence of numbers and displayed during a television programme in response to a user selection.

Accordingly, Applicant asserts that Macrae and Collings, either separately or combined, do not teach or suggest each and every feature of Claim 12. Applicant asserts that none of cited references, either alone or combined, teach or suggest each and every feature of Claim 12, and that Claim 12 and all claims dependent upon it are allowable.

Applicant asserts that these same arguments apply to independent Claims 1, 23, and 39, and that these claims are all claims that depend upon them are also allowable.

Claims 5, 6, 8, 9, 16, 20-22 and 38 stand rejected under 35 USC §103(a) as being unpatentable over Macrae and Collings, and further in view of Bendinelli (U.S. 6,061,719). Applicant traverses this rejection. These claims depend from allowable parent claims, and are therefore allowable.

Conclusion

Applicant respectfully requests entry of the amendments to the claims and a finding of their allowability. A notice to this effect is respectfully requested. Please feel free to contact the undersigned should any questions arise with respect to this case that may be addressed by telephone.

Applicant believes there is no fee due in association with the filing of this response, however, should there be any fees due the Commissioner is hereby authorized to charge any such fees or credit any overpayment of fees to Deposit Account No. 19-0733.

Respectfully submitted,

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